

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2003-840

August 3, 2004

ARC NETWORKS D/B/A INFOHIGHWAY

ORDER

Proposed Tariff Revision to its Local
Exchange and Intrastate Interexchange
Telecommunications Service Tariff

WELCH, Chairman; DIAMOND and REISHUS, Commissioners

We allow the proposed terms and conditions filed by InfoHighway on November 3, 2003, to go into effect. We note, however, that Second Revised Page 78 Section 11.10.3 and Second Revised Page 82 Section 12.2.3 contain a price increase in the form of a "Regulatory Compliance Administrative Fee". Although we allow it to go into effect, we note that we plan to open an inquiry in the near future to determine whether all rates provided to customers, in advertising or otherwise, should be quoted in a manner inclusive of all surcharges and if not doing so is an unfair trade practice.

Dated at Augusta, Maine, this 3rd day of August, 2004.

BY ORDER OF THE COMMISSION

Raymond Robichaud
Assistant Administrative Director

COMMISSIONERS VOTING FOR:

Welch
Diamond
Reishus

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.